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Federal Communications Commission  
Office of the Secretary



## TELEPHONE SCIENCE CORPORATION

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In the Matter of

Rules and Regulations Implementing the  
Telephone Consumer Protection Act of 1991

CG Docket No. 02-278

Establishing Just and Reasonable Rates for  
Local Exchange Carriers

DOCKET FILE COPY ORIGINAL WC Docket No. 07-135

To Whom It May Concern:

Thank you for your request for comment on the issue of robocalls and the need for, and legality of, call blocking technology at the carrier level (DA 14-1700). I am responding on behalf of Telephone Science Corporation, the company that changed the landscape of robocall blocking when it launched Nomorobo in October 2013.

### Background

In April 2013, Nomorobo was selected by the FTC as the winner of their Robocall Challenge. Using existing and widely available simultaneous ring technology, Nomorobo users choose to have their incoming calls routed to both their home phone and the Nomorobo server at the same time. Nomorobo is then able to analyze the call for high-frequency calling patterns. If Nomorobo determines that it is a robocaller, Nomorobo answers the call on behalf of the user. The telephone subscriber only hears a single ring in their home and, like magic, the robocall disappears.

When Nomorobo launched, the industry was doubtful and claimed that it would never work. Despite its critics, Nomorobo has exceeded all expectations and successfully blocked over 15.1 million calls. Nomorobo users are ecstatic – they frequently write to us to express the peace and quiet that Nomorobo has brought into their lives. They love the sense of control that they feel when they hear the single ring followed by sweet, peaceful silence. To them, that single ring

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has come to represent a victory over a known nuisance and pest. It's one less time that "Rachel from Cardholder Services" interrupts their dinner or their child's naptime. It's a small but important win, each and every time.

It is with that backdrop in mind that I want to state, unequivocally, that the FCC should allow carriers to offer consumers the option to block illegal robocalls. I feel this way for a few reasons: (1) robocalling scams are prevalent and present a grave threat to the public; (2) consumers want robocalls to stop; (3) the carriers have the ability to block robocalls and are not legally prohibited from doing so; and (4) the technology exists to reliably and accurately detect illegal robocalls while allowing legal robocalls to reach consumers' phones.

### **Robocalling Scams are Prevalent and Present a Grave Threat to the Public**

Robocalls are more than just a nuisance – they present a grave threat to the public. In fact, the FTC states that, "Every year, thousands of people lose money to telephone scams – from a few dollars to their *life savings*." Think about that for a second – the simple intervention of blocking a single robocall could prevent a person from being scammed out of their *life savings*.

Even worse, many of these scams target vulnerable populations such as the elderly. In October 2014, a federal court stopped an ongoing robocall scam where elderly people were targeted by a scammer pretending to be the government verifying information for Medicare purposes. Consumers lost millions of dollars as a result of this scam.

On a daily basis, robocallers violate the privacy of the American people by entering directly into their homes through a "trusted" phone system. On a daily basis, Americans are victims of theft that could be prevented if the carriers did not connect these calls. All of the time and resources that the government spends educating the public about these scams could be completely avoided if the calls never reached consumers in the first place.

To illustrate the magnitude of this problem, I have submitted an anonymized copy of the logs showing all 12.9 million illegal robocalls that Nomorobo stopped in 2014. It takes up 96,293 sheets of paper - 20 cases worth!

These calls present a grave threat to the public and the FCC should clarify to the carriers that they are, in fact, allowed to stop robocalls from reaching consumers. This action can substantially increase public safety.

### **Consumers Want Robocalls Stopped**

There's no question that consumers want the robocalls to stop. Here, I think it is best if I let consumers speak for themselves.

First, I have submitted to the Commission an anonymized list of all of the requests from consumers asking for Nomorobo to be implemented on their traditional copper landlines and wireless phones. There are over 425,000 requests. It took 4,537 sheets of paper to print.

On January 9, 2015, I emailed the Nomorobo mailing list and asked consumers for their thoughts on the issues raised by your public request for comments. Because Nomorobo is only available on certain VoIP carriers that offer simultaneous ringing, the respondents are a mixed group - some have access to Nomorobo, while others are impatiently waiting for it to be supported by their carrier.

The response was overwhelming. Over 5,000 comments were received in the first hour alone. In total, 25,481 responses were received. I was unable to find a single person that did not want the option to have robocalls blocked at the carrier level. I have submitted each and every comment for your review and urge you to read all 5 cases of them.

Here are some of the more notable comments:

*If I had been able to enable robocall-blocking on my 92 year old fathers' AT&T landline, he likely would not have fallen victim to unscrupulous scammers preying on senior citizens. These calls are not merely an annoyance - usually at dinnertime - but they are also at times dangerous. We all need the ability to control unwanted phone calls into our homes.*

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*Regarding my home phone, the frequency of robocalls has recently skyrocketed to one per day. Needless to say, signing up for Nomorobo 2 months ago has been a godsend. I just wish that it were available for the phone system in my mother's senior living facility!*

*Just last week, she complained of having been awakened by an upsetting robocall that was threatening her with a "lawsuit" by the IRS. Now almost 82 and a caregiver for a husband with Alzheimer's, she deserves more peace of mind than that.*

*Please do what you can to enable her to block robocalls.*

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*When robo callers ignore the fact that my phone is on the DoNotCall list, and call anyhow, I should have full rights to use any technology that I choose to block such calls.*

*Don't listen to phone companies that say the calls can't or shouldn't be blocked. Listen to subscribers; we should be in control of our own phones.*



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*I strongly urge you to require our nation's phone companies to establish means for its customers to block robocalling. My home gets, on average, two to four calls each day, commencing at 8 AM in the morning and concluding at 10 each night.*

*Verizon FiOS provides my home a limited blocking measure, allowing me to block up to ten calls. Unfortunately, the number of robocallers ringing our phones exceeds this number.*

*I've challenged some of these robocallers, advising them their conduct was illegal and that I would report them to the FCC. In response, one robocaller representative just laughed and said he wasn't worried, lacing his remarks with some vulgar language.*

*I've also requested the robocallers to remove my number from their calling lists. They voiced their consent, but they never removed the number. The calls just continued.*

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*I work hard as an office administrator to be efficient and deliver great customer phone service. My work is interrupted frequently by robocalls. Several times a day I am on the phone with a client or potential client, and when I put them on hold to pick up another call, there is either a recorded message or nothing at all. It's a big waste of my time and my clients' time. I understand that people have a right to try and earn a living, but I would never do business with a company that uses those tactics. So why must I put up with the interruptions?*

*I have the right to run my business without constant harassment. I support the development and use of robocall blocking products, and I hope to find one I can use on my business line!"*

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*My Dad is 87 years old. Until I moved in with him to take care of him, he was being pestered to death by these stupid robocalls. As a senior citizen, he's a target for scams regarding free alarm systems, free hearing aids, etc. We also get calls claiming to be from police agencies requesting donations for the families of fallen officers, organizations purporting to represent Vietnam veterans and on and on and on!*

*If it wasn't for Nomorobo, I think we'd have gone insane by now. Unfortunately, it only works if you have digital phone service. This should be available on every single phone. People do not own phones so they can be subject to these stupid scammers all the time. Please make it possible to block robocalls on ALL phones!*

### **Carriers Are Not Legally Prohibited From Implementing Call Blocking Technology and Are Already Blocking Certain Types of Calls**

Despite carrier assertions to the contrary, the existing laws do not prohibit carriers from implementing call blocking technology. This is evidenced by their conduct, rather than by the statements they made.

For example, in complete contradiction to their statements that they cannot “block, choke, reduce or restrict” phone calls in any manner, carriers do, in fact, block certain types of calls. Most carriers allow users to reject incoming calls from private numbers. Many carriers also allow users to create their own blacklist and block calls from certain caller IDs. There is no question that carriers have the ability to conditionally decline calls on behalf of consumers.

Thus, it seems that despite what the carriers say, they have not felt legally prohibited from blocking calls when the consumer requests it. Indeed, in your request for public comment, the Commission recognizes “the right of individual end users to choose to block incoming calls from unwanted callers.” There is no question that this right extends to blocking robocalls.

### **Technology Can Reliably Detect and Differentiate Illegal and Legal Robocalls**

The big question that has always been posed in the fight against robocalls is this – Can technology reliably and accurately detect robocalls? And, more importantly, can it do this while still allowing legal robocalls, such as police and weather alerts, school closings, and doctor’s appointment reminders to get through.

I can say, without reservation, that the answer is “Yes. Absolutely.”

In the 15 months since launching, Nomorobo has successfully stopped over 15.1 million illegal and unwanted robocalls. It takes the system a fraction of a second to decide if a call should be stopped or allowed through. And, for the small number of false positives and negatives, users are able to easily report them and the algorithm learns from this data.

Don’t let the carriers fool you – technology is not the roadblock here. They are.

### **Conclusion**

For the reasons outlined above, and the large amount of additional documentation submitted, Telephone Science Corporation respectfully submits that carriers should be allowed stop illegal robocalls from reaching consumers. The technology exists, today, to reliably and accurately detect illegal robocalls. Carriers have the ability to block these calls and certainly should not be prohibited from doing so.

Now is the time to act and put an end to the robocall epidemic once and for all.

Sincerely,

Telephone Science Corporation

By:  \_\_\_\_\_

Name: Aaron Foss

Title: President

Date: January 20, 2015

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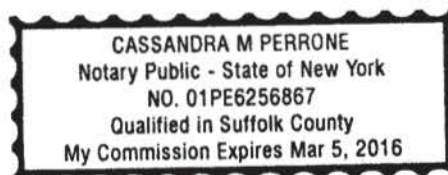
To the best of my knowledge, there have been no alterations to the printed documents that have been generated from these files. Accordingly, to the best of my knowledge, the files on this CD-ROM are a true, correct, and complete duplication of the paper files submitted at the FCC.

Dated: January 16, 2015  
Port Jefferson, NY



Aaron Foss

Sworn to before me on the  
16<sup>th</sup> day of January 2015

  
Notary Public



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02-278; 07-135

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